

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

x  
10CV6005(RSW)

Plaintiff,  
-against-

**SECOND REQUEST FOR THE  
PRODUCTION OF DOCUMENTS  
AND ELECTRONICALLY  
STORED INFORMATION**

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, SGT FREDERICK SAWYER, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCHART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.

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Defendant ISAK ISAKOV, M.D. by his counsel, BRIAN E. LEE of IVONE, DEVINE & JENSEN, LLP, hereby propounds to the plaintiff the following Second Request for the

Production of Documents pursuant to Rule 34 of the Federal Rules of Civil Procedure.

Any inquiry beginning "produce and identify" is to be considered a Request for Production of Documents. If a document has been produced pursuant to another paragraph herein, it is to be identified, but a duplicate need not be produced. Each reference to identify shall be deemed to mean to respond in full detail.

### **INSTRUCTIONS**

All response to Requests for Production, including copies of responsive documents, (1) are to be provided in detail and precisely by you and your representatives, based on documents, information, or other knowledge in the possession, custody, control, or awareness of plaintiff, plaintiff's counsel or any other person known to plaintiff; (2) are to be served within 30 days after service of the Requests on defendants's counsel, IVONE, DEVINE & JENSEN, LLP, 2001 Marcus Avenue, Lake Success, New York 11042; (3) are to be organized and labeled to correspond with the categories in this document, unless produced as kept in the usual course of business; and (4) are to be for the purposes contemplated by and in conformity to the Federal Rules of Civil Procedure and the applicable local rules.

Note that "[it] is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence" (Rule 26[b][1] of the Federal Rules of Civil Procedure).

### **DEFINITIONS**

The following terms herein are used with the following definitions:

The terms "defendant" or "defendants," when used herein, refer to defendant in this action.

The term "plaintiff" or "plaintiffs," "you" and "your," when used herein, refer to plaintiffs in this action individually and jointly; all predecessor corporations or unincorporated associations; and the directors, officers, shareholders, employees, accountants, attorneys, or other agents of each corporate defendants or predecessor corporations.

The term "identify," when used herein in connection with documents, means upon producing the documents to organize or label them to correspond with the categories in the Request. If a document is no longer in your possession, custody or control but otherwise would have been produced or identified in response to any Request for Production, "identify" shall also mean to state whether such document is missing or lost, destroyed, transferred to others, or otherwise disposed of; to describe the surrounding circumstances, any authorization, any approximate date of such disposition; and to identify if known the present location and custodian of such documents, or the persons who would know the present location and custodian of such document.

The term "document" or "documents," as used herein, means without limitation the following items, whether printed or recorded or otherwise preserved: agreements, communications, correspondence, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations, diaries, grafts and charts, plans or drawings, photographs, audio recordings, any marginal comments appearing in any document, and all other writings and data compilations from which information can

be obtained, including every draft or copy of a document that is not identical thereto or that contains any notation whatsoever. If preserved in computer memory or disks or similar form, such item shall be translated by respondent into reasonably usable form on paper, or may be produced on a CD or DVD disk formatted for WordPerfect.

The term "person" or "persons," when used herein, refers to any natural person or artificial person (including partnership, corporation, unincorporated association, governmental body, or other legally cognizable entity).

The term "or," when used herein, should not be read so as to eliminate any part of the Request, but whenever applicable and broader should be read to mean "and." For example, "data or printouts" should be read as data and printouts" if both can be provided.

The term "communication" or "communications," when used herein, refers to any oral utterance made, heard or overhead, whether in person or by telephone or otherwise, as well as every document and every other mode of intentionally conveyed meaning.

The term "including," when used herein, means including but not limited to.

#### **REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Produce original authorizations on the proper HIPAA/IRS/other forms permitting Ivone, Devine & Jensen, LLP to obtain the records of:

- a. New York City Police Department for employment records, for internal affairs records and for medical/psychiatric/psychological records;
- b. Dr. Luel;
- c. Employment records for all of plaintiff's employers within the past 15 years;
- d. IRS records for past 15 years;

- e. Any and all healthcare providers who treated the plaintiff for any injuries plaintiff will allege to have sustained as a result of the defendant Isak Isakov's alleged acts and/or omissions;
- f. Any and all psychiatrists/psychologists/social workers/mental health care providers who treated the plaintiff; and
- g. Aetna (collateral source records).

2. Copies of all recorded conversations and telephone calls between Isak Isakov, M.D. and Adrian Schoolcraft.

3. Copies of all recorded conversations and telephone calls between Isak Isakov, M.D. and Larry Schoolcraft.

4. Copies of the notes the plaintiff Adrian Schoolcraft kept while at Jamaica Hospital Medical Center.

5. Copies of all recorded conversations and telephone calls between Dr. Lilian Aldana-Bernier and Adrian Schoolcraft.

6. Copies of all recorded conversations and telephone calls between Dr. Lilian Aldana-Bernier and Larry Schoolcraft.

Dated: Lake Success, New York  
June 23, 2011

Yours, etc.,

IVONE, DEVINE & JENSEN, LLP

By:

  
BRIAN E. LEE (BL 9495)

Attorneys for Defendant  
ISAK ISAKOV, M.D.

2001 Marcus Avenue, Suite N100  
Lake Success, New York 11042  
(516) 326-2400

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IVONE, DEVINE & JENSEN, LLP  
Attorneys for Defendant  
ISAK ISAKOV, M.D.  
2001 Marcus Avenue  
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